IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.3935 OF 2006
IN
FIRST APPEAL NO.2243 OF 2006

The State of Maharashtra and ors. ..Applicants

V/s.

Mahadu Vishnu Salekar and ors. ..Respondents

Mr.A.R.Patil, AGP for the Applicants

CORAM : A.S.OKA, J.

DATE : JANUARY 19, 2007

P.C.

1. Heard learned A.G.P. for the State.

2. The impugned Judgment and Award is in the nature of a money decree. Hence, unconditional stay cannot be granted.

3. The execution and operation of the impugned Judgment and Award will remain stayed till the final disposal of the First Appeal subject to condition of the Applicants depositing the entire amount due and payable as per the impugned Award with the Reference Court within a period of twelve weeks from today. If the deposit of entire amount

is not made within stipulated period, the interim stay granted will stand forthwith vacated without further reference to the court.

4. If the amount as aforesaid is deposited, the Claimants will be permitted to withdraw the said amount subject to furnishing adequate security for the said amount to the satisfaction of the Reference Court. The Reference Court will hear the Applicants before accepting the security.

5. Civil Application is disposed of in above terms.

6. Liberty to the Respondent No.6 to apply for modification of this order as the same is passed without issuing notice of this Application to the said Respondent.

(A.S.OKA, J.)